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★ APR 21 2005 ★

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

P.M. _____
TIME A.M. _____

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ALI ABADI,

Petitioner,

03 CV 5114 (SJ)

- against -

MEMORANDUM
AND ORDER

UNITED STATES OF AMERICA,

Respondent.

-----X
A P P E A R A N C E S:

ALI ABADI
95-23 Roosevelt Avenue
Queens, NY 11372
Petitioner *Pro se*

UNITED STATES ATTORNEY'S OFFICE
Eastern District of New York
One Pierrepont Plaza, 14th Floor
Brooklyn, NY 11201
Attorneys for the Government

JOHNSON, Senior District Judge:

Petitioner's original filing with this Court, filed October 3, 2003, was styled as a Motion to Vacate, Set Aside or Correct Sentence pursuant to 28 U.S.C. § 2255. On January 25, 2005 this Court issued an Order to Show Cause to Petitioner directing him to show cause within thirty (30) days § 2255 why his petition should not be dismissed as moot, given his release from prison and subsequent deportation. The Order was sent

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to each of Petitioner's last known mailing addresses.

The deadline for responding to the Order to Show Cause having expired without any response from Petitioner, this Court hereby dismisses the § 2255 Petition as moot due to Petitioner's release from custody.

The Clerk of Court is directed to enter a final judgment of dismissal and to close the case.

SO ORDERED.

Dated: April 14, 2005
Brooklyn, New York

s/SJ

Senior U.S.D.J.